

**APPLICATION FOR PERMIT
TO APPROPRIATE THE PUBLIC WATERS OF THE STATE OF NEVADA**

Date of filing in State Engineer's Office..... OCT 27 1978
 Returned to applicant for correction..... DEC 21 1978
 Corrected application filed.....
 Map filed..... August 29, 1974 under 28638

The applicant..... Ellen Blair
358 Lucky Boy North....., of Hawthorne, Nev.
Street and No. or P.O. Box No. City or Town
89415....., hereby make.... application for permission to appropriate the public
State and Zip Code No.
 waters of the State of Nevada, as hereinafter stated. (If applicant is a corporation, give date and place of incorporation; if a copartnership or association, give names of members.)

1. The source of the proposed appropriation is..... Miller Tunnel; located on or near
Name of stream, lake or other source.
Lucky Boy mining property
2. The amount of water applied for is..... 4 (four).....second-feet
One second-foot equals 448.83 gals. per min.
 (a) If stored in reservoir give number of acre-feet.....acre-feet
3. The water to be used for..... Irrigation and domestic
Irrigation, power, mining, manufacturing, domestic, or other use.
4. If use is for:
 - (a) Irrigation (state number of acres to be irrigated)..... approximately 320 acres
 - (b) Stockwater (state number and kinds of animals to be watered).....
 - (c) Other use (describe fully under "No. 12. Remarks").....
 - (d) Power:
 - (1) Horsepower developed.....
 - (2) Point of return of water to stream.....
5. The water is to be diverted from its source at the following point: NW $\frac{1}{4}$ of SW $\frac{1}{4}$ of section 17,
T7N, R30E, at a point on the Miller Tunnel which bears S 68° 10' W,
Describe as being within a 40-acre subdivision of public survey, and by course and distance to a section corner. If on unsurveyed land,
1850.0 ft. from a steel stake set at the center of section 17 by
it should be stated. a registered land surveyor.
6. Place of use..... E $\frac{1}{2}$ of NW $\frac{1}{4}$ & W $\frac{1}{2}$ of NE $\frac{1}{4}$ & W $\frac{1}{2}$ of SE $\frac{1}{4}$, E $\frac{1}{2}$ of SW $\frac{1}{4}$, section
Describe by legal subdivision, if on unsurveyed land it should be so stated.
17 with a total of 320 acres, T7N, R30E, MDB&M.
7. Use will begin about..... Jan. 1.....and end about..... Dec. 31....., of each year.
Day and Month Day and Month
8. Description of proposed works. (Under the provisions of NRS 535.010 you may be required to submit plans and specifications of your diversion or storage works.) Earth fill dam approximately 100 feet
long and 8 feet high. Face & back slope 3:1; storage less than $\frac{1}{2}$
State manner in which water is to be diverted, whether by dam or other works, whether through pipes, ditches, flumes, or other conduits.
acre foot. Water piped through 4 inch line to irrigation area.

9. Estimated cost of works.....\$5000.00
10. Estimated time required to construct works.....1 yr.
11. Estimated time required to complete the application to beneficial use.....3 yrs.
12. Remarks: For use other than irrigation or stock watering, state number and type of units to be served or annual consumptive use.

Am recognizing an existing domestic use of 1 inch pipe coming out of "Miller Tunnel" prior to this same date. This replaces cancelled permit no. 28639, use map under 28638.

Applicant s/ Ellen Blair
Pro. 3/23/79 by Millard D. and Carol Mitchell
By s/ Ellen Blair
P.O. Box 358
Hawthorne, Nev. 89415
Compared lp/dh

DENIAL OF STATE ENGINEER

This is to certify that I have examined the foregoing application, and do hereby ^{deny}~~grant~~ the same, subject to the following limitations and conditions:

This application is denied and the protest to Application 36116 is upheld on the grounds that there is no water available for appropriation. The granting of Application 36116 would impair the value of existing rights and would be detrimental to the public interest and welfare.

The amount of water to be appropriated shall be limited to the amount which can be applied to beneficial use, and not to exceed.....cubic feet per second.....

Actual construction work shall begin on or before.....

Proof of commencement of work shall be filed before.....

Work must be prosecuted with reasonable diligence and be completed on or before.....

Proof of completion of work shall be filed before.....

Application of water to beneficial use shall be made on or before.....

Proof of the application of water to beneficial use shall be filed on or before.....

Map in support of proof of beneficial use shall be filed on or before.....

Commencement of work filed.....
Completion of work filed.....
Proof of beneficial use filed.....
Cultural map filed.....
Certificate No.....Issued.....
Recorded.....Bk.....Page.....
County Recorder

IN TESTIMONY WHEREOF, I WILLIAM J. NEWMAN
State Engineer of Nevada, have hereunto set my hand and the seal of
my office, this 6th day of JUNE
A.D. 1979
William J. Newman
State Engineer